

REMARKS

Claims 2-7, 11-17 and 20-23 are pending. As discussed in the Examiner Interview held March 9, 2006, the applicants respectfully request re-opening of prosecution on the merits and reconsideration of this application in view of the above amendments and the following remarks.

The applicants note with great appreciation the Examiner Interview held on March 9, 2006. As noted in the Interview Summary sheet, while no specific agreement was reached with regard to the claims, the parties acknowledged that the arguments presented by applicants' representative overcame the rejections. Accordingly, Primary Examiner Ton, Examiner Mehra and applicants' representative agreed that, upon submission of the present Supplemental After Final amendment, prosecution would be reopened on the merits so that further search can be conducted.

Claims 2, 6, 7, 11, 17, 20, and 21 were rejected under 35 USC 103(a) as being allegedly unpatentable over Arnold, et al., U.S. Patent No. 5,475,677 (hereinafter "Arnold") in view of Koshi et al. U.S. Patent No. 5,414,527 (hereinafter "Koshi"). The applicants respectfully request that this rejection be withdrawn for the following reasons.

In acknowledging that Arnold and thus the applied art combination fails to teach or suggest the claimed features, several points were addressed. Applicants note that Arnold, as clearly stated in connection with Figure 6, describes a single handset 600. Thus, the multiplexer 607 is only for determining where in a frame to locate the coded speech signal from the speech encoder 605 when the handset is operating in TDD mode (col. 13, line 22 and 23). As suggested by Primary Examiner Ton, the independent claims have been amended for clarification to recite, for example in the case of independent claim 2, that the second data encoder is different from the first data encoder. The multiplexer 607, as agreed upon in the Interview, does not select between

a first data encoder and a second data encoder different from the first data encoder according to a predetermined transmit schedule. Applicants note that the claims are further clarified as selecting between the first and second data encoders in order to control a predetermined target power delivered to a receiver. Such a feature has the important advantage not previously appreciated in the art of increasing the efficiency of the downstream power amplifier by more than 20% as described in paragraphs [00019] and [00027] of applicants' specification. In other words, by selecting between a first and second data encoder for transmission according to a predetermined transmit schedule the extreme input swings associated with transmitting multiple signals simultaneously can be avoided, the efficiency of the downstream power amplifier can be increased, and the complexity and thus the expense of the downstream power amplifier can be reduced.

There was further suggestion by Examiner Mehra that when several handsets 600 are taken together, the claimed features might be taught, however such a tenuous interpretation of Arnold was dismissed in the interview after clarification was provided that multiplexer 607 only functioned to allocate a single stream of data into a time slot and not for selecting between multiple data sources. Further, any attempt to stretch the teachings of Arnold to encompass the claimed features would necessarily fail, since the features of the claim are drawn to a transmitter. In such a hypothetical case, e.g. the aggregate teachings of a system with multiple data encoders and multiplexers, respective multiplexers 607 would not amount to one multiplexer located *in a transmitter* as claimed. Further, multiplexer 607 does not multiplex between first and second data encoders, but rather is associated with a single handset 600 only and only serves to select a time slot for the transmission of encoded speech data from speech encoder 605 as noted above.

Thus, applicants appreciate the Examiners' acknowledgement that the rejection has been overcome and look forward to the next action on the merits.

Claims 3, 4 and 12-14 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Arnold in view of Koshi as applied above and further in view of Judd et al., U.S. Patent No. 6,701,137 (hereinafter “Judd”). The rejection is respectfully traversed.

Claims 3, 4 and 12-14, by virtue of depending from claims 1 and 11, are allowable for at least the reasons set forth hereinabove with regard to claims 1 and 11. In addition claims 3, 4 and 12-14 are independently allowable in that, for the reasons noted above and acknowledged in the Examiner Interview, the rejection with regard to Arnlod and Koshi has been overcome.

Claims 5, 15 and 16 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Arnold in view of Koshi as applied above and further in view of Martone et al., U.S. Patent No. 6,603,806 (hereinafter “Martone”). The rejection is respectfully traversed.

Claims 5, 15 and 16 by virtue of depending from claims 1 and 11 are allowable for at least the reasons set forth hereinabove with regard to claims 1 and 11. In addition claims 5, 15 and 16 are independently allowable in that, for the reasons noted above and acknowledged in the Examiner Interview, the rejection with regard to Arnlod and Koshi has been overcome.

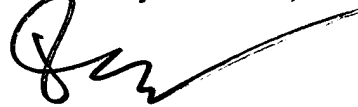
Claims 22-23 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Arnold in view of Koshi as applied above and further in view of Fujiki et al., U.S. Patent No. 6,847,807 (hereinafter “Fujiki”). The rejection is respectfully traversed.

Claims 22-23, by virtue of depending from claim 20 is allowable for at least the reasons set forth hereinabove with regard to claim 20. In addition claims 22-23 are independently allowable in that, for the reasons noted above and acknowledged in the Examiner Interview, the rejection with regard to Arnlod and Koshi has been overcome.

In view of the foregoing, the applicants respectfully submit that the rejection has been overcome and, in view of the results of the Examiner Interview, prosecution on the merits will be reopened, a further search conducted, and a new office action will be forthcoming. If any questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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